

DELEGATED APPROVAL FORM

DIRECTOR, REAL ESTATE SERVICES

MANAGER, REAL ESTATE SERVICES

TRACKING NO.: 2024-078
with Confidential Attachment

Approved pursuant to the Delegated Authority contained in Article 2 of City of Toronto Municipal Code Chapter 213, Real Property

Prepared By:	Joe Corigliano	Division:	Corporate Real Estate Management
Date Prepared:	March 26, 2024	Phone No.:	416-392-1167
Purpose	To obtain authority to enter into a licence extension agreement (the " Agreement ") between the City of Toronto as licensee (the " City ") and the licensor named in Confidential Attachment " A " attached hereto (the " Licensor ") to extend the term of a licence agreement entered into between the City and the Licensor on February 18, 2014, as extended and amended by licence extension agreements dated January 1, 2020, for a further 5 (five) year term, on the terms and conditions set out in Appendix " A " attached hereto, and for the purpose of continued operation and maintenance of a roof-top antenna and associated cables on a portion of the building more particularly described in Confidential Attachment " A " for the use and operation of communications equipment necessary and incidental to the communication requirements of the Licensee, the Toronto Police Services, Fire Services, Toronto Paramedic Services and related services.		
Property	See Confidential Attachment.		
Actions	<ol style="list-style-type: none"> 1. Authority be granted for the City to enter into the Agreement with the Licensor substantially on the terms and conditions set out in Appendix "A" together with such other amended terms, conditions, and amendments as may be satisfactory to the Director, Real Estate Services and in a form acceptable to the City Solicitor. 2. Confidential information in the Confidential Attachment herein shall remain confidential indefinitely as it is information that relates to the security of the property of the City and the Toronto Police Services Board. 		
Financial Impact	<p>The licence fee to be paid by the City for the full duration of the five (5) year term and addition extension is estimated to be \$79,738.48 (plus HST) or \$71,806.97 (net of HST recovery) as shown in the Appendix A. The City will also be responsible for associated Utilities that are estimated to be \$4,520.00 (plus HST per annum). Future year expenditures will be referred to the City's annual budget process and will be included as part of the 2025 and future year budget submissions for Toronto Police services for Council consideration.</p> <p>Funding is available in the 2024 Council Approved Operating Budget for Toronto Police Services under cost center PLR&EFZ 4530. Future year expenditures will be referred to the City's annual budget process and will be included as part of future year budget submissions for Toronto Police Services for Council consideration.</p> <p>The Chief Financial Officer and Treasurer has reviewed this DAF and agrees with the financial impact information.</p>		
Comments	<p>By the adoption of the Clause No. 33 of Report No. 26 of the Strategic Policies & Priorities Committee, City Council, at its meeting of December 17, 1998, authorized a \$34.5 million integrated Fire/Police radio communications system for emergency services, including the Toronto Ambulance Service. By way of supporting this radio communications initiative, the Toronto Police Service Board ("TPSB") at its meeting of November 15, 2001 authorized leases or licenses with property owners, as may be required, for the placement of the said radio antenna. The Licensee's involvement in this new Agreement, and with the renewals of other TPSB radio antenna sites as they come up for renewal, will harmonize and regularize the real property leases and license agreements of the TPSB with those of other City Boards.</p> <p>This Site is part of the City's emergency radio infrastructure for Police, Fire, and Toronto EMS. This Agreement will have a term of five years with a further option to renew for another five years.</p>		
Terms	The terms are considered fair, reasonable and reflective of market value, and it is recommended for acceptance substantially on the major terms and conditions set out in Appendix "A"		
Property Details	Ward:	Ward 7 – Humber River-Black Creek	
	Assessment Roll No.:		
	Approximate Size:		
	Approximate Area:	160.00 ft ² ± (14.86 m ² ±)	
	Other Information:		

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
<p>1. Acquisitions:</p> <p>2A. Expropriations Where City is Expropriating Authority:</p> <p>2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:</p> <p>3. Issuance of RFPs/REOs:</p> <p>4. Permanent Highway Closures:</p> <p>5. Transfer of Operational Management to Divisions, Agencies and Corporations:</p> <p>6. Limiting Distance Agreements:</p> <p>7. Disposals (including Leases of 21 years or more):</p> <p>8. Exchange of land in Green Space System & Parks & Open Space Areas of Official Plan:</p> <p>9. Leases/Licences (City as Landlord/Licensor):</p> <p>10. Leases/Licences (City as Tenant/Licensee):</p> <p>11. Easements (City as Grantor):</p> <p>12. Easements (City as Grantee):</p> <p>13. Revisions to Council Decisions in Real Estate Matters:</p> <p>14. Miscellaneous:</p>	<p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p><input type="checkbox"/> (a) Where total compensation (including options/ renewals) does not exceed \$50,000.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding three (3) months, including licences for environmental assessments and/or testing, etc.</p> <p>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</p> <p><input checked="" type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$50,000.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p>Delegated to more senior positions.</p> <p>Delegated to more senior positions.</p>	<p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</p> <p><input type="checkbox"/> Issuance of RFPs/REOs.</p> <p><input type="checkbox"/> Initiate process & authorize GM, Transportation Services to give notice of proposed by-law.</p> <p>Delegated to more senior positions.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.</p> <p><input type="checkbox"/> (a) Where total compensation (including options/ renewals) does not exceed \$1 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding six (6) months, including licences for environmental assessments and/or testing, etc.</p> <p>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</p> <p><input type="checkbox"/> Where total compensation (including options/ renewals) does not exceed \$1 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).</p> <p><input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences</p> <p><input type="checkbox"/> (b) Releases/Discharges</p> <p><input type="checkbox"/> (c) Surrenders/Abandonments</p> <p><input type="checkbox"/> (d) Enforcements/Terminations</p> <p><input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/ Acknowledgements/Estoppel Certificates</p> <p><input type="checkbox"/> (f) Objections/Waivers/Cautions</p> <p><input type="checkbox"/> (g) Notices of Lease and Sublease</p> <p><input type="checkbox"/> (h) Consent to regulatory applications by City, as owner</p> <p><input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title</p> <p><input type="checkbox"/> (j) Documentation relating to Land Titles applications</p> <p><input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds</p>

B. Director, Real Estate Services and Manager, Real Estate Services each has signing authority on behalf of the City for:

- Documents required to implement matters for which each position also has delegated approval authority.
- Expropriation Applications and Notices following Council approval of expropriation (Managers whose position includes responsibility for implementing Council-approved expropriations are the only Managers with such signing authority).

Director, Real Estate Services also has signing authority on behalf of the City for:

- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Community Space Tenancy Leases approved by delegated authority by the Deputy City Manager, Corporate Services and any related documents.

Pre-Condition to Approval

☒ Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property

Consultation with Councillor(s)

Councillor:	Councillor Anthony Perruzza – Ward 7	Councillor:	
Contact Name:	Councillor Anthony Perruzza	Contact Name:	
Contacted by:	Phone <input type="checkbox"/> X <input checked="" type="checkbox"/> E-Mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>	Contacted by:	Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Memo <input type="checkbox"/> Other <input type="checkbox"/>
Comments:	No Objections	Comments:	

Consultation with Divisions and/or Agencies

Division:	Toronto Police Services	Division:	Financial Planning
Contact Name:	Clay Beers	Contact Name:	Ciro Tarantino
Comments:	No Objections	Comments:	No Objections

Legal Services Division Contact

Contact Name: Frank Weng

DAF Tracking No.: 2024-078	Date	Signature
Concurred with by: Manager, Real Estate Services		
<input checked="" type="checkbox"/> Recommended by: Manager, Real Estate Services Niall Robertson	March 28, 2024	Signed by Niall Robertson
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	April 4, 2024	Signed by Alison Folosea

Appendix "A"

Major Terms and Conditions

DAF 2024-078

Major Terms and Conditions of Licence Extending Agreement

Licensee: City of Toronto

Licensor: See Confidential Attachment

Location: See Confidential Attachment

Property: A portion on the roof of the Property.

Term: Five (5) years, commencing on January 1, 2025 and expiring on December 31, 2029.

Extension Term: Further Five (5) years, commencing on January 1, 2030 and expiring on December 31, 2034.

Licence Fee:

Base Rates: - 2% Increase Each Year of Term Jan 1st, 2025 - December 30th, 2034

Year	Base Rent (P/Y)	Utilities/add rent	Sub-Total	HST	Total
2025	\$2,316.50	\$4,520.00	\$6,836.50	\$888.75	\$7,725.25
2026	\$2,362.83	\$4,520.00	\$6,882.83	\$894.77	\$7,777.60
2027	\$2,410.09	\$4,520.00	\$6,930.09	\$900.91	\$7,831.00
2028	\$2,458.29	\$4,520.00	\$6,978.29	\$907.18	\$7,885.47
2029	\$2,507.45	\$4,520.00	\$7,027.45	\$913.57	\$7,941.02
2030	\$2,557.60	\$4,520.00	\$7,077.60	\$920.09	\$7,997.69
2031	\$2,608.76	\$4,520.00	\$7,128.76	\$926.74	\$8,055.49
2032	\$2,660.93	\$4,520.00	\$7,180.93	\$933.52	\$8,114.45
2033	\$2,714.15	\$4,520.00	\$7,234.15	\$940.44	\$8,174.59
2034	\$2,768.43	\$4,520.00	\$7,288.43	\$947.50	\$8,235.93
Total	\$25,365.03	\$45,200.00	\$70,565.03	\$9,173.45	\$79,738.48